

REMARKS

Claims 1 to 8 are pending in this application, of which claim 1 and 6 are independent. Favorable reconsideration and further examination are respectfully requested.

Initially, claim 2 was objected to for allegedly failing to limit its base claim. As shown above, Applicants have amended both claims 1 and 2. These amendments are believed to address the objection. Accordingly, withdrawal thereof is respectfully requested.

Claims 1 to 5, and 8 were rejected over U.S. Patent No. 6,151,299 (Lyon); and claims 6 and 7 were rejected over Lyon in view of U.S. Patent No. 5,822,540 (Caldara). As shown above, Applicants have amended the claims to define the invention with greater particularity. In view of these amendments, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 defines a method for removing asynchronous transfer mode (ATM) cells from a waiting list. The method comprises storing a last cell identifier that identifies a last ATM cell in the waiting list, where the last cell identifier corresponds to a back of the waiting list, and storing an end-of-frame identifier that corresponds to an end of a target frame in the waiting list, where the target frame comprises ATM cells. The end-of-frame identifier is stored in association with a non-frame ATM cell that follows the target frame in the waiting list. The method also includes removing all ATM cells of an other frame located at a back of the waiting list up to the end-of-frame identifier, where the back of the waiting list is identified using the last cell identifier.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1. In particular, Lyon is not understood to address what happens to non-frame ATM cells in a

waiting list. Caldera was therefore cited (against claims 6 and 7) to address this deficiency of Lyon. Caldera describes identifying OAM cells based on whether the cell contains user data or other data using a payload type indicator for the cell (see, e.g., column 4, lines 2 to 4). Caldera then makes its decision on whether to discard such cells based on the amount of congestion or overrun in a buffer. Caldera, however, does not associate an end-of-frame identifier with a non-frame ATM cell that follows the target frame in the waiting list, and then remove all ATM cells of another frame located at the back of the waiting list up to the end-of-frame identifier. In this regard, Caldera does describe identifying end-of-frame cells (see, e.g., column 4, lines 45 et seq.). However, nowhere does Caldera describe identifying non-frame cells as end-of-frame cells, and using this designation to prevent their discard, as in claim 1.

For at least the foregoing reasons, claim 1 is believed to be patentable.

Amended independent claim 6 defines a method for removing ATM cells in a waiting list. The method includes labeling a non-frame ATM cell in the waiting list as an end-of-frame ATM cell in order to prevent the non-frame ATM cell from being removed from the waiting list, and removing all ATM cells of another frame located at the back of the waiting list up to the end-of-frame ATM cell, where the back of the waiting list is identified via a predefined pointer.

As explained above with respect to claim 1, Lyon, whether taken alone or in combination with Caldera, is not understood to disclose or to suggest at least labeling a non-frame ATM cell in the waiting list as an end-of-frame ATM cell in order to prevent the non-frame ATM cell from being removed from the waiting list. Claim 6 is therefore believed to be patentable.

Each of the dependent claims is also believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney can be reached at the address shown below. All telephone calls should be directed to the undersigned at 617-521-7896.

Applicants : Herbert Heiss, et al.
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Please apply any fees or credits due in this case, which are not already covered by check,
to Deposit Account 06-1050 referencing Attorney Docket No. 12758-051001.

Respectfully submitted,

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Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110-2804
Telephone: (617) 542-5070
Facsimile: (617) 542-8906



Paul A. Pysher
Reg. No. 40,780